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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,888	08/15/2001	Takehiko Nakano	SONYJP 3.0-199	9309
530	7590	12/16/2005	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			BATURAY, ALICIA	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/929,888

Applicant(s)

NAKANO ET AL.

Examiner

Alicia Baturay

Art Unit

2155

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 November 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 1-19.

Claim(s) withdrawn from consideration: None.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant Argues: "Neither Croÿ nor Humpleman discloses or suggests: transmitting, from the given one of the plurality of control devices to the information processing apparatus, identification information corresponding to the selected one of the plurality of portions and identification information corresponding to the given one of the plurality of control devices."

In Response: The examiner respectfully submits that Croÿ teaches transmitting, from the given one of the plurality of control devices (manipulated the available function keys on remote device to select a particular television program - see Croÿ, col. 17, lines 40-41) to the information processing apparatus (selecting a particular programming for recording using a VCR - see Croÿ, col. 17, lines 33-35), identification information corresponding to the selected one of the plurality of portions (having selected the specific program, the remote device may obtain the appropriate control information to program a VCR to record the specified program - see Croÿ, col. 17, lines 42-45) and identification information corresponding to the given one (the identification number stored in the PTVN itself that enables the PTVN to be uniquely identified from all others - see Croÿ, col. 4, lines 59-66) of the plurality of control devices (Each server device can be controlled by one or more client devices - see Humpleman, col. 6, lines 39-40).

Applicant Argues: "Neither Croÿ nor Humpleman discloses or suggests: storing the identification information corresponding to the selected one of the plurality of portions and the identification information corresponding to the given one of the plurality of control devices in a control correspondence table of the information processing apparatus such that the identification information corresponding to the selected one of the plurality of portions is associated with the identification information corresponding to the given one of the plurality of control devices."

In Response: The examiner respectfully submits that the combination of Croÿ and Humpleman teaches storing the identification information corresponding to the selected one of the plurality of portions (having selected the specific program, the remote device may obtain the appropriate control information to program a VCR to record the specified program - see Croÿ, col. 17, lines 42-45) and the identification information corresponding to the given one of the plurality of control devices (the identification number stored in the PTVN itself that enables the PTVN to be uniquely identified from all others - see Croÿ, col. 4, lines 59-66) in a control correspondence table of the information processing apparatus such that the identification information corresponding to the selected one of the plurality of portions is associated with the identification information corresponding to the given one of the plurality of control devices (Each server device can be controlled by one or more client devices. When the user controls a server device using a first client device the information in the GUI of the server device is saved by the server device in the control state data of the server device - see Humpleman, col. 6, lines 39-48).



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER